



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 APOLINAR AMARA HERNANDEZ &  
 VALENTIN GONZALEZ SANTOS : 10 Civ. 9495 (WHP)  
*Individually and on behalf of all other persons* :  
*similarly situated* : ORDER  
  
 Plaintiffs, :  
  
 -against- :  
  
 LANSKY'S EQUITIES CORP. et al., :  
  
 Defendants. :  
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WILLIAM H. PAULEY III, District Judge:

For the reasons set forth on the record on June 3, 2011, this Court orders the following with regards to Plaintiffs' proposed notice to potential class members in this action:

1. The notice shall be limited to servers, bussers, delivery personnel, cooks, and dishwashers;
2. The notice shall date back to a period of three years;
3. The notice shall identify the common policy alleged to have violated the FLSA and inform potential class members that opting into this suit may require them to participate in certain discovery proceedings;
4. The notice may reference potential state law claims, including those claims relating to spread of hours pay;
5. The notice shall be modified to inform potential plaintiffs that opting into this class action is not the sole means of obtaining relief;

6. The notice shall be modified so that it does not imply that other law firms will not provide similar payment structures to those offered by Virginia & Ambinder.

Dated: June 7, 2011  
New York, New York

SO ORDERED:

  
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WILLIAM H. PAULEY III  
U.S.D.J.

*All Counsel of Record*